

Preamble

Background

The Children and Young People (Safety) Act 2017 (Safety Act), the Child Safety (Prohibited Persons) Act 2016 and the National Principles for Child Safe Organisations establish the requirements for organisations that provide services in which children and young people are involved. Harm of children or young people can occur in any environment, awareness of the possibility of harm or risk of harm is essential in order to ensure that people's rights are upheld and their safety is maintained.

Purpose

This Policy ensures that MBSA employees and volunteers are aware of their duty of care responsibilities for the protection, safety and wellbeing of children.

Commitment

Multiple Birth South Australia Inc (MBSA) is committed to

- minimising the risk of harm to all children, young people and vulnerable persons who receive services or participate in programs developed by or on behalf of MBSA,
- ensuring that children and young people are valued and respected, and
- the safety of children and young people as a priority in our organisation.

This policy complies with the child safe environments provisions of the Children and Young People (Safety) Act 2017 and the requirements of the Child Safety (Prohibited Persons) Act 2016.

Scope

This Policy applies to all MBSA employees and volunteers. All MBSA employees and volunteers agree to abide by this Policy when they sign the Code of Conduct.

MBSA subcontractors must abide by the Child Safe Environment requirements as specified in their agreement with MBSA.

Definitions

- Child – refers to a person under the age of 18.
- Close proximity – means within eyesight.
- Employment screening – involves obtaining information about potential employees, volunteers, contractors or consultants on the basis that the information is deemed relevant to working in a child related area. The information gathered may include details concerning previous employment and relevant experience, verification of qualifications and professional registration, criminal history information, reference checks and work history reports.
- Mandatory reporting obligation – means the incumbent of a position whose services are wholly or partly for children must report any suspicion of harm or risk of harm to a child to the Child Abuse Report Line.
- Regular contact – includes contact that may facilitate instances where people deliberately use their position and status to access and exploit children or vulnerable people.

Principles

1. All children who encounter MBSA services and events have a right to do so within a safe and respectful environment.
2. MBSA will identify and assess potential sources of harm for children and wherever practical, take action to minimise the likelihood that harm will occur to any child encountering services provided by or on behalf of MBSA.
3. MBSA will establish and maintain procedures for fulfilling mandatory notification requirements, ensuring any reasonable suspicion of harm or risk of harm to a child is reported to the Child Abuse Report Line (CARL) on 13 14 78 as soon as practicable and provide a report to the MBSA executive committee.
4. MBSA will treat any complaint relating to the harm or risk of harm to a child respectfully and ensure appropriate investigative steps are immediately instituted.
5. MBSA respects the privacy of all persons it has dealings with and will ensure that personal information provided is collected and managed responsibly.
6. MBSA will aim to ensure protective work practices are in place to guide employees and volunteers in providing services to children. These practices will include:
 - a) Adopting a position that does not permit or condone physical punishment under any circumstances.
 - b) Limiting the opportunity for one on one, close and unsupervised contact by employees and volunteers with children.
 - c) Obtaining consent of parents / guardians in advance if one on one unsupervised contact is to occur with children
 - d) Requiring that employees and volunteers report to the MBSA executive committee in advance if one on one unsupervised contact is to occur.
 - e) Requiring that employees and volunteers inform the MBSA executive committee should an employee or volunteer's employment screening checks be revoked.
7. MBSA will place a copy of this Policy on our website for families to view at any time.
8. All matters relating to any incident of child harm or risk of harm and all personal details are strictly confidential.
9. This policy will be reviewed at least every five years.

Recruitment Practices

MBSA will take all appropriate steps to ensure that our volunteers and employees are suitable to work with children and young people. We undertake a range of screening measures for employees including interviews and referee checks.

Our screening measures are required for anyone within our organisation that provides a service or undertakes child-related work as defined by the *Child Safety (Prohibited Persons) Act 2016*.

We will obtain Working With Children Check (WWCC) information for all employees and volunteers issued by the Screening Unit, DHS, as required by the *Child Safety (Prohibited Persons) Act 2016*. We will obtain from the person their full name, address, date of birth and unique identifier and:

- a) Verify a working with children check has been conducted in relation to the person within the preceding 5 years

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- b) The person is not prohibited from working with children
- c) Provide the screening unit, DHS the name, address, telephone number and email address of the business at which the person is to be employed or volunteer for, and
- d) The name and contact details of the person who verified the matters referred to in points (a) and (b) above.

In addition, MBSA will ensure that all employees and volunteers agree to MBSA's Code of Conduct that includes child safe behaviours as part of their induction process.

MBSA will ensure that volunteers who are part of the MBSA executive committee and any employees attend training on mandatory reporting requirements, and their responsibilities and obligations to ensure that a safe and respectful environment for children is maintained at all times.

Contractors

MBSA requires contractors engaged to undertake activities on their behalf and who have contact with children, to have appropriate policies and procedures that address their responsibilities and obligations to ensure that a safe and respectful environment for children is maintained at all times.

Reporting suspected harm and risk of harm

Multiple Birth SA will not tolerate incidents of child harm or risk of harm. Section 17 of the Safety Act defines 'harm' to mean physical or psychological harm (whether caused by an act or omission), including harm caused by sexual, physical, mental or emotional abuse or neglect.

Child protection is everyone's responsibility and all employees and volunteers understand their obligation to notify the Child Abuse Report Line (CARL) on 13 14 78 as soon as practicable if they have a reasonable suspicion that a child has been, or is being, harmed.

In addition, a report must be made to the MBSA executive committee.

MBSA Employee, Volunteer or Staff

Employees and volunteers must also report to the MBSA executive committee if reasonable suspicion is formed that a child has been, or is being, harmed by an MBSA employee, volunteer or contractor.

In response to any report concerning an employee or volunteer of this organisation, the Executive Committee may determine to take disciplinary action, including immediate termination of an employee or volunteer.

Note that mandated notifiers are required to meet their legal obligations i.e. if any suspicions of harm or risk of harm to a child or young person is suspected, they must report directly to CARL 13 14 78 or SA Police on 000 if CYP is at immediate risk. Therefore, it is not necessary for the Executive Committee to re-report suspicions of harm/risk of harm to CARL or SA Police.

If the report involves a member of the MBSA executive committee then that person must not be involved in the determination of appropriate action.

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MBSA will handle the complaint following the principles that are outlined in our Complaint and Feedback Process, along with the requirements detailed in this document. During this process the safety and protection of the child is paramount and this needs to be balanced with ensuring procedural fairness for the alleged perpetrator.

Contractors

Should a contractor make a notification to the Child Abuse Report Line, a report summary must be supplied to the Home Help Service Coordinator, who will inform the MBSA executive committee. The summary must include the following information:

- the date and time of notification,
- the family named in the report,
- the contractor name making the notification, and
- any resulting safety issues that could impact the provision of services.

MBSA does not need to know the details of the notification unless it directly relates to a safety issue.

Supporting Children and Young People

MBSA recognises that even where a report is made, we may still have a role in supporting the child or young person. This support may include referring the child, young person or their family to other appropriate services and / or continuing to provide a service to the child or young person and their family and monitoring their circumstances.

Services may include:

- Kids helpline (Australia's only free (even from a mobile), confidential 24/7 online and phone counselling service for young people aged 5 to 25) – 1800 55 1800
- Lifeline (24 hour crisis support and suicide prevention services) – 13 11 44
- Mensline (24 hour Domestic Violence Helpline) – 1800 811 811 and Webchat 9am-5pm Mon to Fri (excluding Public Holidays) – <https://mensline.org.au>
- Child and Family Health Service (provides free support for all children 0-5 years living in South Australia) <https://www.cafhs.sa.gov.au> – and their Parent Helpline 1300 364 100

Excluded persons

The following persons are exempt from the application of the Child Safety (Prohibited Persons) Act 2016, as defined in Section 9 of the Child Safety (Prohibited Persons) Regulations 2019:

- a person who—
 - (i) is a parent or guardian of a child; and
 - (ii) is providing a service or activity that is child-related work on a voluntary basis to children where—
 - (A) the children to whom the service or activity is provided include the person's own child; and
 - (B) the service or activity does not consist of or include—

- accommodation and residential services for a child other than the person's own child; or
- close personal contact with a child other than the person's own child.

Relevant legislation

- Children and Young People (Safety) Act 2017 which requires prescribed organisations to provide safe environments for children and young people as set out in the legislation
- Child Safety (Prohibited Persons) Act 2016 which sets out the obligations of persons or bodies who provide a service or undertake an activity that constitutes child-related work including ensuring these people have a valid Working with Children Check (WWCC).

References

- SA Government's Report child harm or risk of harm information
<https://www.sa.gov.au/topics/education-and-learning/health-wellbeing-and-special-needs/report-child-abuse/report-child-abuse>
- National Principles for Child Safe Organisations
<https://chilsafe.humanrights.gov.au/national-principles>
- Safe environments for children and young people - Mandatory notification information booklet https://dhs.sa.gov.au/_data/assets/pdf_file/0003/103179/CSE-Mandatory-notification-information-booklet.PDF
- Mandated notifiers and their role (includes reporting guidelines)
<https://www.childprotection.sa.gov.au/reporting-child-abuse/mandated-notifiers-and-their-role>
- Excluded persons are detailed in the Child Safety (Prohibited Persons) Regulations 2019:
[https://www.legislation.sa.gov.au/LZ/C/R/CHILD%20SAFETY%20\(PROHIBITED%20PERSONS\)%20REGULATIONS%202019/CURRENT/2019.5.AUTH.PDF](https://www.legislation.sa.gov.au/LZ/C/R/CHILD%20SAFETY%20(PROHIBITED%20PERSONS)%20REGULATIONS%202019/CURRENT/2019.5.AUTH.PDF)